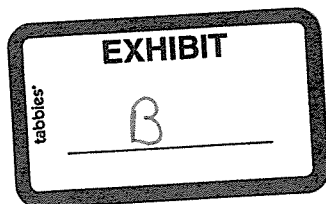


Tyler J. Bowles * August 23, 2013

Sheet 1	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING	3
1	CONNIE LANGILLE and) PAUL E. LANGILLE,) Plaintiffs,) vs.) TRANSCO, INC., KEITH) PETER and McLANE FOOD) SERVICE, INC.,) Defendants.)	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
	Deposition of: TYLER J. BOWLES Civil Action No. 12-CV-189-S	INDEX PAGE TYLER J. BOWLES - Examination By Mr. Smith 4 Examination By Mr. Bowers 50
	August 23, 2013 * 10:01 a.m. Location: Peck Hadfield Baxter & Moore 399 North Main Street -- 3rd Floor Logan, Utah Reporter: Denise M. Thomas, CRR/RPR Notary Public in and for the State of Utah	EXHIBITS PAGE 1 Curriculum Vitae of Tyler J. Bowles 5 2 2007 to 2010 U. S. Individual Returns for Connie R. Fancher and Paul Langille, Bates Nos. McClane-Coke 1177-1210 21 3 6-4-13 Expert witness report of Tyler J. Bowles 51 * * *
2	A P P E A R A N C E S FOR THE PLAINTIFFS: John D. Bowers BOWERS LAW FIRM, PC Attorneys at Law 685 South Washington P.O. Box 1550 Afton, Wyoming 83110-1550 Telephone: 307.885.0640 Fax: 307.885.1002 FOR THE DEFENDANTS: Lloyd E. Smith MURANE & BOSTWICK, LLC Attorneys at Law 508 West 27th Street Cheyenne, Wyoming 82001-3031 Telephone: 307.634.7500 Fax: 307.638.7882 E-mail: les@murane.com * * *	4 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
		PROCEEDINGS TYLER J. BOWLES, having been first duly sworn to tell the truth, was examined and testified as follows: EXAMINATION BY MR. SMITH: Q. Please state your full name. A. Tyler J. Bowles. Q. And I'm going to refer to you as Dr. Bowles. I believe that's how you like to be referred to? A. That's fine. Q. Dr. Bowles, what is your profession? A. I'm an economist. Q. And where do you work? A. My primary job is with Utah State University. I'm a professor in and department head of the Department of Economics and Finance at Utah State University. I also am self-employed as an economic consultant. Q. Does that economic consultant work include expert witness work? A. Yes, sir.



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<p>Sheet 4</p> <p>13</p> <p>1 expectancy table, a work life expectancy table. Wage 2 data, both in Idaho and Wyoming, current interest 3 rates and the expected wage growth rate in both, or, 4 in addition, expected growth rate in medical prices, 5 some information concerning household survey -- a 6 household survey on the typical amount of time a 7 married female spends providing household services, 8 and, finally, some data on wage rates associated with 9 the types of services that correspond to household 10 services. 11 Q. It appears that those items, or those 12 materials you reviewed are reflected in the footnotes 13 to your report, in a General Note on page 9 and in 14 the appendix -- appendices? 15 A. Yes, sir. 16 Q. You mentioned you talked to Connie 17 Langille several times. 18 Did you ever meet her in person? 19 A. No, sir. It's my understanding she's in 20 Texas. 21 Q. So your conversations with her occurred 22 over the telephone? 23 A. Yes. 24 Q. Did you have any conversations with her 25 husband, Paul Langille?</p>	<p>15</p> <p>1 doesn't really know if or when -- if and when Connie 2 will be able to return to some kind of sedentary 3 work. Then she notes if she does, there will be a 4 transition into that kind of work. 5 Q. Did she tell you anything else that was of 6 significance to your work? 7 A. Not that I recall in that conversation. 8 Her report was fairly exhaustive. 9 Q. The first category of economic loss you 10 set forth in your report, this appears on Table 1 as 11 Past Medical and Related Expenses; is that right? 12 A. Yes, sir. 13 Q. And that number that you've set forth is 14 \$176,301? 15 A. Yes. 16 Q. And I believe your notes -- yes, in Note 17 No. 1 you indicate that that information was provided 18 to you by Connie Langille? 19 A. It was in her Answers to the 20 Interrogatories. 21 Q. You did not separately review her medical 22 bills, I take it? 23 A. No, sir. 24 Q. And you did not add up the medical 25 expenses from her medical bills?</p>
<p>14</p> <p>1 A. I don't believe so, no, although, again, 2 I'm not sure. Seems like I may have, but I don't 3 have any notes that reflect that. He may have been 4 on the phone when I was talking with Connie. 5 Q. As we sit here today, you don't recall any 6 conversations with Paul Langille? 7 A. That's correct. 8 Q. Did you have any conversations with any of 9 the other experts or consultants hired by the 10 Plaintiffs in this case, and specifically those whose 11 reports you reviewed, Dr. Tallerico, Kathy Gammon, 12 Suzette Pinto? 13 A. Yes. 14 Q. Who did you speak to? 15 A. Ms. Gammon. 16 Q. And when was that conversation? 17 A. May 7, 2013. 18 Q. What did you talk about? 19 A. I had previously reviewed her report, and 20 I just went through her report and followed up with 21 her on some questions. 22 Q. What questions did you follow up about? 23 A. Well, I don't have a complete list 24 necessarily. I do have some notes that indicate 25 that, consistent with what her report says, that she</p>	<p>16</p> <p>1 A. No. 2 Q. So that figure is coming from Connie 3 entirely? 4 A. That's correct. 5 Q. Is it your understanding what she did is 6 simply add up her medical bills? 7 A. I don't know. 8 Q. You did not perform any economic analysis 9 of those past medical expenses? 10 A. That's correct. 11 Q. And you don't personally know if they're 12 accurate? 13 A. That's correct. 14 Q. In your note to those past medical 15 expenses, and that's Note No. 1, you state it is also 16 your understanding that interest may be available on 17 those past losses. 18 Do you know what the law is in Wyoming 19 regarding whether that kind of interest is 20 recoverable? 21 A. Yes. It's my understanding that it is at 22 seven percent. 23 Q. Again, but you don't purport to be a 24 lawyer, right? 25 A. Well, I don't, but it doesn't take a</p>

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<p>Sheet 5</p> <p>17</p> <p>1 lawyer necessarily to understand the law, but I'll</p> <p>2 defer to him at a higher paid rate for that issue,</p> <p>3 but I've been involved in enough cases over the years</p> <p>4 to be quite certain that on these kind of damages</p> <p>5 that interest at seven percent is available, but I</p> <p>6 could be wrong.</p> <p>7 Q. You could be?</p> <p>8 A. I could be. I know there's a little bit</p> <p>9 of debate about it.</p> <p>10 Q. The second category of economic loss you</p> <p>11 set forth in Table 1 is the Cost of Gratuitous Care</p> <p>12 Provided by Paul Langille, right?</p> <p>13 A. Yes.</p> <p>14 Q. And that figure that you've supplied is</p> <p>15 \$13,872, correct?</p> <p>16 A. Yes.</p> <p>17 Q. What is the basis for that?</p> <p>18 A. In Paul's deposition, as well as in</p> <p>19 Connie's deposition, he notes that he took</p> <p>20 approximately two months to ten weeks off work to</p> <p>21 care for Connie.</p> <p>22 Q. Okay. And how does that get us at</p> <p>23 \$13,872?</p> <p>24 A. I know his wage for 2011 from his W-2 was</p> <p>25 \$83,232, or \$6,936 a month. I simply took two months</p>	<p>19</p> <p>1 to Paul?</p> <p>2 A. As a family they have less income.</p> <p>3 Q. Did you look at the cost of hiring care --</p> <p>4 what it would cost Connie Langille to hire the care</p> <p>5 that was provided by Paul?</p> <p>6 A. No.</p> <p>7 Q. Did you do any analysis of the amount of</p> <p>8 care she actually required?</p> <p>9 A. No.</p> <p>10 Q. If you were looking -- if you were</p> <p>11 analyzing the cost of gratuitous care provided by</p> <p>12 Bill Gates if he took two months off to care for his</p> <p>13 wife, would you base that on his monthly salary?</p> <p>14 A. I haven't thought about that. I don't</p> <p>15 know. I'd have to think about that. That's a rare,</p> <p>16 unique circumstance. Paul and Connie aren't</p> <p>17 particularly unique.</p> <p>18 Q. The next category of economic loss set</p> <p>19 forth in Table 1 of your report is the Present Value</p> <p>20 of Lost Earning Capacity; is that correct?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And the figure you give for that is</p> <p>23 \$335,023, correct?</p> <p>24 A. Yes.</p> <p>25 Q. Under your notes on page 3 of your report,</p>
<p>18</p> <p>1 of that monthly wage rate to get \$13,872.</p> <p>2 Q. Do you know whether Paul Langille was paid</p> <p>3 during this time he took off to care for his wife?</p> <p>4 A. No.</p> <p>5 Q. No, you don't know?</p> <p>6 A. That's correct.</p> <p>7 Q. Do you know whether his sick or leave time</p> <p>8 with his company was reduced for that time he was off</p> <p>9 work?</p> <p>10 A. It's my understanding that those are all</p> <p>11 collateral source issues and not relevant is my</p> <p>12 understanding, so I don't.</p> <p>13 Q. So the answer is you don't know?</p> <p>14 A. I don't know.</p> <p>15 Q. Fair to say you don't know if the law</p> <p>16 allows him to recover his lost wages for that time he</p> <p>17 was off work?</p> <p>18 A. I don't know legal issues. From an</p> <p>19 economics point of view, it is a damage. If he's not</p> <p>20 working, there is damage -- a loss associated with</p> <p>21 that. Whether that loss was borne by him or his</p> <p>22 employer is maybe a more legal issue, but,</p> <p>23 nevertheless, there is, in my judgment, an economic</p> <p>24 damage associated with that.</p> <p>25 Q. And would you agree that damage occurred</p>	<p>20</p> <p>1 it looks like you determined a work life expectancy</p> <p>2 of 13 years for Connie?</p> <p>3 A. Yes.</p> <p>4 Q. I take it that is something that we could</p> <p>5 locate in the tables that you've attached as part of</p> <p>6 your appendices?</p> <p>7 A. Yes.</p> <p>8 Q. Your calculation of \$335,023 is premised</p> <p>9 on the assumption that she will not return to work,</p> <p>10 correct?</p> <p>11 A. That's correct.</p> <p>12 Q. And your assumption that she will not</p> <p>13 return to work comes from your review of the report</p> <p>14 of Kathy Gammon and your conversation with Kathy</p> <p>15 Gammon?</p> <p>16 A. Yes.</p> <p>17 Q. If Kathy Gammon is wrong in that</p> <p>18 assessment, then your assessment is wrong, correct?</p> <p>19 A. Correct.</p> <p>20 Q. One of the things you did in part of your</p> <p>21 analysis of the present value of Connie Langille's</p> <p>22 lost earning capacity was review her prior earnings</p> <p>23 by virtue of her tax information?</p> <p>24 A. Yes.</p> <p>25 Q. What is your understanding of how she was</p>